

05-25-01

PATENT  
Attorney Docket No. FORS-04944

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application  
Assistant Commissioner For Patents  
Washington, D.C. 20231

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of Hatim Allawi, Christian Tor Bartholomay, LuAnne Chehak, Michelle L. Curtis, Peggy S. Eis, Jeff G. Hall; Hon S. Ip; Michael Kaiser, Robert W. Kwiatkowski, Jr.; Andrew A. Lukowiak; Victor Lyamichev, WuPo Ma; Marilyn C. Olson-Munoz; Sarah M. Olson; James J. Schaefer, Zbigniew Skrzypczynski; Tssetska Y. Takova, Kevin L. Vedvik, Natalie Lyamichev and Bruce P. Neri for Detection of RNA

CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the U.S. Postal Service on this date **May 24, 2001** in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number **EL 658 777 545 US** addressed to: **Box Patent Application**, Assistant Commissioner For Patents, Washington, D C 20231

Susan M. McClintock  
Susan M. McClintock

1. **Type Of Application**

This new application is for a(n)

- ☒ Original (nonprovisional)  
☒ Continuation-In-Part (C-I-P).

2. **Benefit Of Prior U.S. Application(s)** (35 U.S.C. §§ 119(e), 120, or 121)

- ☒ The new application being transmitted claims the benefit of prior U.S. application(s) and enclosed are **ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED**

3. **Papers Enclosed That Are Required For Filing Date Under 37 C.F.R. § 1.53(b) (Regular) or 37 C.F.R. § 1.153 (Design) Application**

1114 Pages of Specification  
7 Pages of Claims  
1 Page of Abstract  
145 Sheets of Informal Drawings

4. **Declaration**

- ☒ Enclosed  
☒ Unexecuted.

5. **Inventorship Statement**

The inventorship for all the claims in this application is.

- ☒ the same

6. **Language**

- ☒ English

7. **Fee Calculation (37 C.F.R. § 1.16)**

☒ Regular application

**CLAIMS AS FILED**

| Number Filed  | Number Extra | Rate           | Basic Fee - \$710.00<br>(37 C.F.R. § 1.16(a)) |
|---|--------------|----------------|---|
| Total Claims (37 C.F.R. § 1.16(c))                        | 49- 20 =     | 29 × \$18.00 = | \$522 00                                      |
| Independent Claims (37 C.F.R. § 1.16(b))                  | 3 - 3 =      | 0 × \$80 00 =  | \$0.00  |
| Multiple Dependent Claim(s), if any (37 C.F.R. § 1.16(d)) | + \$260.00 = |                | \$0.00  |
| Filing Fee Calculation                                    |              |                | \$1,232.00                                    |

8. **Small Entity Statement(s)**

☒ Verified Statement(s) that this is a filing by a small entity under 37 C.F.R. §§ 1.9 and 1.27.

**Filing Fee Calculation (50% of above)** \$616.00

9. **Fee Payment Being Made At This Time**

☒ Enclosed

☒ basic filing fee \$616.00

**Total Fees Enclosed** \$616.00

10. **Method of Payment of Fees**

☒ Check in the amount of \$616.00

11. **Authorization To Charge Additional Fees and Credit Overpayment**

☒ The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No.: 08-1290. An originally executed duplicate of this transmittal is enclosed for this purpose

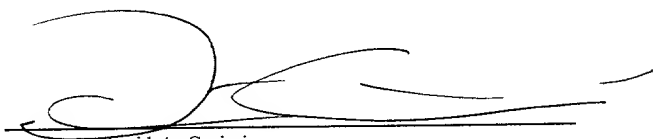
12. **Power of Attorney by Assignee**

☒ Enclosed (unexecuted)

13. **Return Receipt Postcard**

☒ Enclosed

Dated: May 24, 2001

  
David A. Casimir  
Registration No.: 42,395

MEDLEN & CARROLL, LLP  
220 Montgomery Street, Suite 2200  
San Francisco, California 94104  
(415) 705-8410

☒ **Incorporation By Reference Of Added Pages**

☒ Plus Added Pages For New Application Transmittal Where Benefit Of Prior U.S. Application(s) Claimed

Number of pages added 1

ADDED PAGES FOR APPLICATION TRANSMITTAL  
WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED

14. Relate Back

A. 35 U.S.C. § 119(e)

B. 35 U.S.C. §§ 120, 121 and 365(c)

- ☒ Amend the Specification by inserting before the first line the sentence: "This is a Continuation-In-Part of copending application(s) 09/577,304, filed 05/24/00; 09/350,309, filed 07/09/99; 07/756,386, filed 11/26/96 which issued as U.S. Patent No. 5,985,577 on 11/16/99; 08/381,212, filed 02/08/00; 08/823,516, filed 03/24/97 which issued as U.S. Patent No. 5,994,069 on 11/30/99; 08/759,038, filed 12/21/96 which issued as U.S. Patent No. 6,090,543 on 07/18/00; 08/682,853, filed 07/12/96 which issued as U.S. Patent No. 6,001,567 on 12/14/99; 08/599,491, filed 01/24/96 which issued as U.S. Patent No. 5,846,717 on 12/08/98; 09/381,212, filed 02/08/00; 09/758,282, filed on 01/11/01; PCT/US97/01072 filed on 01/21/97."

15. Relate Back - 35 U.S.C. §§ 119 Priority Claim For Prior Application

The prior U.S. application(s), including any prior International Application designating the U.S., identified above in Item 14, in turn itself claim(s) foreign priority(ies) as follows:

| <u>PCT/US97/01072</u> | <u>PCT/US97/01072</u> | <u>01/21/97</u> |
|-----------------------|-----------------------|-----------------|
| <i>Country</i>        | <i>Application No</i> | <i>Filed</i>    |

16. Further Inventorship Statement Where Benefit Of Prior Application(s) Claimed

a. This application discloses and claims additional disclosure by amendment and a new declaration or oath is being filed. With respect to the prior application, the inventor(s) in this application are

- ☒ the following additional inventor(s) have been added: Christian Tor Bartholomay; LuAnne Chehak; Michelle L. Curtis; Peggy S. Eis, Jeff G. Hall; Hon S. Ip; Robert W. Kwiatkowski, Jr.; Andrew A. Lukowiak; Marilyn C. Olson-Munoz; Sarah M. Olson; Zbigniew Skrzypczynski; Tsetska Y. Takova; Kevin L. Vedvik; Natalie Lyamichev.

b. The inventorship for all the claims in this application is:

- ☒ the same.